

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Finke-Anlauff (U.S. Patent: 6,850,226).

As to claims 8 and 22, Finke-Anlauff discloses a portable terminal unit (i.e. the device 30) comprising:

a first housing (i.e. screen panel 2) having at least a display section (i.e. display 6) (see Fig. 1, Col. 2, Lines 50-65, Col. 3, Lines 5-10);

a second housing (i.e. body 1) having at least a main operation section (i.e. since the body contains the processing parts of the device, it contains the main operation section) (see Fig. 1, Fig. 5, Col. 2, Lines 49-53), wherein both said first housing (2) and said second housing (1) are coupled together (i.e. the display panel is attached to the

body 1) (see Fig. 1) so that said main operation section is covered with said first housing in a closed state and is exposed in an opened state (i.e. since the screen panel covers most of the body when the device is closed, the main operation section is covered by the display) (see Fig. 1), and a display screen of said display section is exposed in both said closed state and said opened state (i.e. the screen panel is always in view, and is therefore exposed in both the closed and open state) (see Fig. 1, Lines 50-65);

a state detecting section (i.e. 29 panel position sensor) for detecting whether said first housing and said second housing are in said opened state or in said closed state (i.e. the panel position sensor senses whether or not the panel is in open or closed position, since when the screen panel is opened the user is able to use the larger keyboard it would serve to the users convenience to rotate the screen orientation so that it will be in a landscape mode, which is allowed by the automatic sensor which uses software control to switch the orientation mode when the panel is opened) (see Fig 8, Col. 4, Lines 30-35);

and a control section (i.e. the main control process 257) (see Fig. 8) to control said display (6) of a selecting screen on said display section (2) when said at least one key is operated in said closed state (i.e. the direction arrow by design will navigate a cursor on the screen regardless whether the screen is in open or closed position as Fig. 1 clearly demonstrate dark underlining cursor that is controlled by the directional cursor key 13) (see Fig. 1, Col. 4, Lines 1-2) and to control said display (6) of a display screen image corresponding to a specific item on said display section (2) when said state

detecting section detects that said portable terminal unit is in said opened state (i.e. since the device is able to detect orientation based on the position of the screen panel) (see Fig. 8, Col. 4, Lines 32-35) after selecting said specific item from a plurality of items shown in said selecting screen (i.e. since the application key 8, cursor keys 13 are always accessible, and the display whether in open or closed state are always controlled by software, the function will properly select the specific item) (see Fig 1, Fig 8, Col. 4, Lines 15-48).

As to claim 22, Finke-Anlauff teaches an auxiliary operation section (i.e. telephone keypad 7) comprising at least one key (i.e. the telephone keys such as the numeral keys and the directional control keys) (see Fig. 1, Fig. 5, Col. 3, Lines 55-62) provided on either said first housing or said second housing other than on a surface (i.e. the keys are on the body and always exposed) (see Fig 1, Col. 3, Lines 55-62), of said first and second housings opposed to each other in said closed state (i.e. the screen panel 2 is on top of the body 1 and therefore opposed each other in the closed state) (see Fig. 2b, Col. 2, Lines 50-60);

As to claims 1 and 21, see discussion of claims 8 and 22 above, claim 1 is analyzed to be broader than claim 8 and is rejected on the same ground.

As to claims 15 and 23, see discussion of claims 8 and 22 above, claim 15 differs only from claim 8 in the limitation of “a coupling section which rotatably couples said first housing and said second housing”. Finke-Anlauff teaches a coupling section which

rotatably couples said first housing (2) and said second housing (1) (i.e. the rotation by a pivot pin about the axis of the pins 38 that can also slide in a track 18, in this way the device is additionally given the rotational capability) (see Fig. 4, Col. 3, Lines 15-25).

As to claim 9, Finke-Anlauff teaches the portable terminal unit (30) according to claim 8, wherein said selecting screen displays a plurality of function items (i.e. the device is said to have PDA functionality and specifically allow the user to select function such as video camera 11, calendar data 26, contact data 27, and internet browser 28) (see Fig. 8, Col. 4, Lines 20-30).

As to claim 10, Finke-Anlauff teaches the portable terminal unit according to claim 9 wherein said function items are a mail function (i.e. email), a memorandum function (i.e. notes), a schedule book function (i.e. calendar function), a browser function (i.e. Internet browser 28), a message/voice memorandum function (i.e. in cellular telephony the message and voice memorandum functions are network provided, for a cellular phone to provide service to the user, it is an understood function built-in to the phone), a history function and a camera (i.e. video camera 11) function (i.e. since the device is able to handle full PDA functionality and all application that software packages such as Microsoft Office handles, all of the above functionality are present)(see Fig. 8, Col. 2, Lines 35-47, Col. 4, Lines 20-30).

As to claim 11, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said selecting screen displays a plurality of selecting items for one function item (i.e. since the device 30 is able to allow the user to select and operate functions such as internet browser, which allows the user to select plurality of items in the browser to allow proper functionality) (see Fig. 8, Col. 4, Lines 20-30).

As to claim 12, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said portable terminal unit (30) is a mobile telephone (i.e. mobile telephone 21) (see Fig. 1, Col. 4, Lines 15-16).

As to claim 13, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said portable terminal unit (30) is a personal digital assistant (i.e. the device function as a personal digital assistant) (see Col. 4, Lines 22-24).

As to claim 14, Finke-Anlauff teaches the portable terminal unit (30) according to claim 8, wherein said first housing (2) and said second housing (1) are coupled to each other so as to be opened and closed by a sliding motion (i.e. screen panel 2 slide over keyboard 12 of the body 1) (see Fig. 3, Col. 2, Lines 58-60)

As to claims 2-7, see discussion of claim 9-14 above, claims 2-7 are analyzed to be broader than claims 9-14, and are rejection on the same ground.

As to Claims 16-20, see discussion of claim 15 above, these claims are analyzed as equivalent to claims 9-13 with respect to the parent claim, claim 15, and is rejected for the same reason.

### ***Response to Amendment***

3. Applicant's reply was received in the Office on 12/27/2007 and the new claims 21-23 have been entered.

### ***Response to Arguments***

4. Applicant's arguments filed 12/27/2007 have been fully considered but they are not persuasive. As to claims 1, 8 and 15 the applicant argue that the '226 patent does not disclose a control section that controls the display of a display screen image corresponding to a specific item on the display section when the portable terminal unit is brought into the opened state after selecting the specific item from a plurality of items shown in a selecting screen in the closed state. The examiner disagrees, since the '226 patent does teach the user being able to select items on a scrolling bases (see Fig. 1) by using the cursor key this is clearly selecting a specific item from a plurality of items on the screen, as the screen is changed from the close state shown in figure 1 to the open state of figure 4, it is clear seen that the screen items display are reoriented as

well. In this way when the display changed orientation the main control processor which serve the function of controlling the display as well as the entire device must work with the display driver to assure this reorientation include the selected scrolling graphic features which designate the correct items selected by the cursor keys are associated with a new set of pixels on the screen. Other wise, the display would not be able to automatically reorient itself when the device is changed from a close state to an open state.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Calvin Ma whose telephone number is (571) 270-1713. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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